

FILED BY JPM D.C.

FILED BY JPM D.C.

IN THE UNITED STATES DISTRICT COURT  
05 JUL 26 AM 8:30 FOR THE WESTERN DISTRICT  
OF TENNESSEE

05 JUL 22 PM 3:58

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
BILLY LEE MD OR ED, DECEASED,  
MARY MCCAIN AND JANICE SHUFFLED,  
AS PETITIONERS and ADMINISTRATRICES

THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
WD OF TN, MEMPHIS

PLAINTIFFS

vs.

SHELBY COUNTY  
MATTHEW WILSON MD, SHELLY D. TIMMONS, MD,  
MICHAEL MUHLBAUER, MD, CATHERINE CAGIANNOS, MD,  
ALLEN K. SILLS, JR. MD, MICHAEL KEUTER, MD and THE  
SHELBY COUNTY HEALTHCARE CORP., d/b/a THE REGIONAL  
MEDICAL CENTER AT MEMPHIS, THE MED,

MOTION GRANTED

NO.: 04-3037-M1/P

Jon P. McCalla  
JON PHIPPS McCALLA  
U.S. DISTRICT JUDGE

July 25, 2005  
DATE  
DEFENDANTS

---

**MOTION FOR EXTENSION OF TIME TO RESPOND TO  
MOTION FOR SUMMARY JUDGMENT**

---

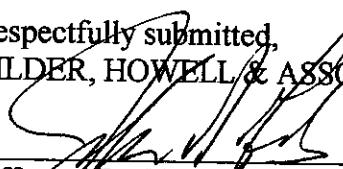
COME NOW the Plaintiff's, by and through counsel, and files this their Motion For Extension of Time To Respond To Motion for Summary Judgment and would show unto the Court as follows, to-wit:

1. That counsel for Plaintiff has just received the films from the Med. These records were originally subpoenaed in docket no.: 04-2596-MaV on September 14, 2004. Plaintiffs' counsel has forwarded these films to a consulting expert. The normal turnaround is about 6 weeks.
2. That the Defendants Allen K. Sills, Shelly D. Timmons and Michael Muhlbauer have filed a motion for summary judgment with an affidavit of Shelly D. Timmons in support thereof. The deadline for a response is currently July 25, 2005. That the relevant defendants through counsel have been consulted and agree to the extension of time to respond to August 25, 2005.
3. That a proposed Agreed Order is attached hereto evidencing agreed consent.

26

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that the time for Plaintiffs to respond to Defendant's Motion for Summary Judgment be extended to August 25, 2005.

Respectfully submitted,  
GILDER, HOWELL & ASSOCIATES, P.A.

  
Jefferson D. Gilder, #14321  
Attorney for Plaintiffs  
P.O. Box 193  
Southaven, MS 38671  
662-349-2092

---

CERTIFICATE OF SERVICE

I, Jefferson D. Gilder, do hereby certify that I have this day served a true and correct copy of the above and foregoing Motion for Extension of Time, U.S. Mail, postage prepaid to the following:

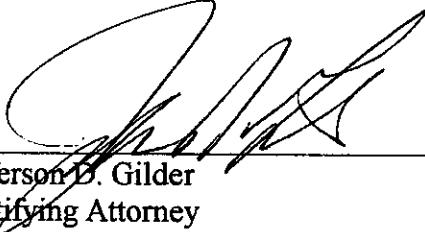
Hon. J. Kimbrough Johnson  
Thomason Hendrix Harvey  
Johnson & Mitchell  
40 S. Main, Suite 2900  
Memphis, TN 38103

Hon. Stephen A. Hester  
Leitner Williams Dooley & Napolitan  
254 Court Ave., 2<sup>nd</sup> Floor  
Memphis, TN 38103

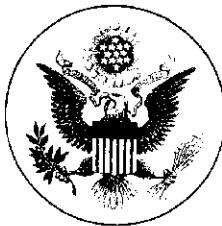
Hon. Mark S. Norris  
Armstrong Allen, PLLC  
80 Monroe Ave., Suite 700  
Memphis, TN 38103

Hon. Cannon F. Allen  
Armstrong Allen, PLLC  
80 Monroe, Suite 700  
Memphis, TN 38103

This the 22<sup>nd</sup> day of July, 2005.



\_\_\_\_\_  
Jefferson D. Gilder  
Certifying Attorney



# Notice of Distribution

This notice confirms a copy of the document docketed as number 26 in case 2:04-CV-03037 was distributed by fax, mail, or direct printing on July 26, 2005 to the parties listed.

---

Cannon F. Allen  
ARMSTRONG ALLEN, PLLC  
80 Monroe Avenue  
Ste. 700  
Memphis, TN 38103-246

Mark S. Norris  
ARMSTRONG ALLEN, PLLC  
80 Monroe Avenue  
Ste. 700  
Memphis, TN 38103-246

J. Kimbrough Johnson  
THOMASON HENDRIX HARVEY JOHNSON & MITCHELL  
40 S. Main St.  
Ste. 2900  
Memphis, TN 38103-552

Stephen A. Hester  
LEITNER WILLIAMS DOOLEY & NAPOLITAN  
254 Court Ave.  
Second Floor  
Memphis, TN 38103

Jefferson D. Gilder  
GILDER HOWELL & ASSOCIATES, P.A.  
7090 Malco Blvd.  
Ste. 111  
Southaven, MS 38671

Honorable Jon McCalla  
US DISTRICT COURT